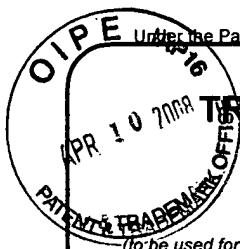


JAW



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10//798,932
Filing Date	March 11, 2004
First Named Inventor	Scott Arthur William Muirhead
Art Unit	3637
Examiner Name	Jose V. Chen
Attorney Docket Number	9085

Total Number of Pages in This Submission

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Req. for Interference Return Receipt Post Card
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Price & Adams
Signature	
Printed name	John M. Adams
Date	Reg. No. 26,697

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	John M. Adams	Date	April 8, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NEXTREME  
9085



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Jose V. Chen  
Group Art Unit: 3637  
Application No.: 10/798,932  
Filed: March 11, 2004  
Applicant: Scott Arthur William Muirhead  
Title: THERMOFORMED PLATFORM

REQUEST FOR INTERFERENCE PURSUANT TO 37 C.F.R. § 41.202

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests the declaration of an interference pursuant to 37 C.F.R. § 41.202 with U.S. Patent No. 6,758,148 ("the '148 patent") by Torrey et al. Claim 19 of the instant application corresponds substantially to claim 14 of the '148 patent within the meaning of 37 C.F.R. § 41.203(a).

Applicant proposes the following count:

Count 1

A pallet in accordance with claim 14 of the '148 patent or claim 19 of the instant application.

The claims of the parties are:

Torrey: 14

Muirhead: 19

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Torrey: 1-13 and 15-21

Muirhead: 1-18 and 20-27

Applicant is likely to prevail in an interference because Applicant is the senior party. The instant application is a continuation of U.S. Patent Application No. 09/803,681 ("the '681 application") filed on March 12, 2001, now U.S. Patent No. 6,718,888, which claims the benefit of U.S. Provisional Application No. 60/196,127, filed on April 11, 2000. The '148 patent was filed on October 26, 2001.

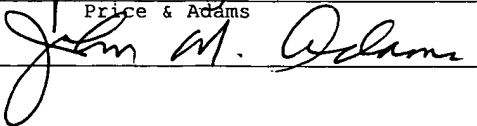
The written description for the '681 application supports claim 19 in the instant application, as indicated by the attached claim chart.

For the foregoing reasons and the attached evidence, it is believed that an interference should be declared with the '148 patent.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

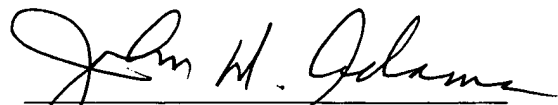
April 8, 2008

Price & Adams



April 8, 2008

Respectfully submitted,



John M. Adams  
Attorney for Applicant

Price & Adams  
4135 Brownsville Road  
P.O. Box 98127  
Pittsburgh, PA 15227-0127

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Claim 19 of U.S. Patent Application No. 10/798,932	Written Description in U.S. Patent Publication No. 2001/0029874 (Corresponds to U.S. Patent Application No. 09/803,681).
A fire resistant pallet comprising:	See e.g. Paragraph No. 82.
a pallet assembly; and	See e.g. Paragraph No. 82.
a fire resistant layer formed upon an exterior of said pallet assembly.	See e.g. Paragraph No. 82.